IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

BLUE SPIKE, LLC,	<u> </u>
Plaintiff,	§ Civil Action No. 6:12-CV-499 LED
v.	§ §
TEXAS INSTRUMENTS, INC.,	\S JURY TRIAL DEMANDED
Defendant.	\$ \$
	§ 8
BLUE SPIKE, LLC,	
Plaintiff,	§ Civil Action No. 6:12-CV-537 LED
v.	§ §
SOUNDHOUND, INC.	\S JURY TRIAL DEMANDED
Defendant.	§ §
	<u> </u>

DECLARATION OF THOMAS BLUM IN SUPPORT OF MOTION TO TRANSFER VENUE TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA UNDER 28 U.S.C. § 1404(a)

Case 6:12-cv-00499-RWS-CMC Document 916-1 Filed 08/07/13 Page 2 of 2 PageID #: 10153

I, Thomas Blum, declare under penalty of perjury that the following is true and correct:

- 1. I am the Senior Engineer at third party Audible Magic Corp. ("Audible Magic"). I have personal knowledge of the facts set forth in this declaration. If called as a witness, I could testify competently to these facts under oath.
- I have worked at Audible Magic, and its predecessor company Muscle Fish, since the 1990s. During my employment, I have been named as an inventor on numerous systems and patents related to automated content recognition, including U.S. Patent No. 5,918,223 ("'223 Patent"). I am informed that the '223 Patent may be prior art in this action, and that I may be asked to testify.
- 3. I reside and work in Northern California.
- 4. As the Senior Engineer at Audible Magic, I have significant work duties in Northern California that I must attend to, and it would be a burden for me to travel to the Eastern District of Texas to supply testimony in this case.
- 5. I have never traveled to the Eastern District of Texas.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct based on my own personal knowledge.

Thomas 2 Ben

Executed on July 29, 2013 in San Francisco, California.

Thomas Blum